

NORTH TYNESIDE COUNCIL GOVERNANCE SUB-COMMITTEE**PRE-HEARING PROCESS SUMMARY**

Member (s) subject of allegation:	Councillor J O'Shea
Complainant:	Councillor Mrs J Wallace
Case Reference Number:	NT05/2015
Chair for meeting:	Councillor C Johnson
Independent Persons:	Mr G Clark and Mrs S Gardner
Monitoring Officer Representative:	Mr S Ballantyne
Investigating Officer:	Mr D Cooper, Eversheds LLP
Democratic Services Officer:	Ms Y Harrison
Time, Date and Place of Hearing:	1 March 2016
Time, Date and Place of Pre-Hearing Process Summary Meeting:	09:30am, Tuesday 19 January 2016, Quadrant East, the Silverlink North, Cobalt Business Park

Summary of allegation

The complainant, Councillor Mrs J Wallace, alleges that Councillor J O'Shea:

- a. in a political newsletter published in March 2015 entitled Whitley Bay News, edited by Cllr O'Shea and promoted by Councillor B Burdis, Cllr O'Shea failed to treat the complainant and other members of the Conservative Group with respect and brought the authority and the office of elected member into disrepute; and
- b. in the same political leaflet, Councillor O'Shea failed to treat the Conservative Party Parliamentary candidate with respect. He allegedly did so by making inaccurate statements about his record, namely by saying, that he called a referendum in his own ward-presumably at further cost to the taxpayer.

Relevant Paragraph(s) of the Code of Conduct

The relevant paragraphs of the Code are:

Paragraph 4: You must not conduct yourself in a manner which could be reasonably be regarded as bringing the Council or your office as a member of the Council into disrepute.

Findings of fact in the Investigating Officer's report that are disagreed

Councillor O'Shea has indicated that he does not disagree with any of the findings of fact.

Attendance at the hearing (including representatives)

Councillor O'Shea will be present at the hearing. No representative has been appointed.

Mr Denis Cooper will be present at the hearing. He will be presenting his report.

Witnesses Attending

Councillor O'Shea has not requested the attendance of witnesses.

The Investigating Officer has requested the attendance of the following witness:

Mr D Brown

Hearing Procedure

The full procedure for the Hearing as agreed by the Chair is attached.

In summary, the Hearing will progress through the following stages and will include the consideration of any comments made by the Authority's appointed Independent Persons, as appropriate:-

- 1.) Introductions and preliminary procedural issues including consideration of any requests for the hearing to be held in full or in part in private.
- 2.) Pre-Hearing Process Summary.
- 3.) Presentation of Investigating Officers Report including witnesses.
- 4.) The Members response including witnesses.
- 5.) Withdrawal of Committee to determine Findings of Fact, whether a breach has occurred and any sanction to be imposed.

Date Pre-Hearing Summary Completed: 19 January 2016

Signed  _____

Chair of Standards Sub-Committee